



City of Seattle

Gregory J. Nickels, Mayor

Department of Design, Construction and Land Use

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2300222

Applicant Name: Tyler Goodmanson

Address of Proposal: 3403 NW Market Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one (1) parcel into three (3) unit lots of land. Proposed unit sizes are: A) 1418.2 sq. ft., B) 1819.7 sq. ft., and C) 3011.5 sq. ft..

DCLU Project #2204743 with Permit #731335 to establish use and construct single family residence, described as a two-story structure with basement and attached garage per plans was issued on October 18, 2002.

The following approval is required:

Short Subdivision – to subdivide one (1) existing parcel into three (3) unit lot of land.
(Chapter 23.24, Seattle Municipal Code)

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction.

BACKGROUND DATA

Site and Area Description

This rectangular shaped proposal site is approximately 6,250 square feet in area located in a Multifamily Residential Lowrise Duplex Triplex (LDT) zone at the southwest corner of 34th Avenue Northwest and Northwest Market Street. The proposal site has a 50 lineal feet of front lot line on Northwest Market Street and 125 lineal feet of side lot line on 34th Avenue Northwest. Northwest Market Street is improved with paved roadway, concrete curbs/gutters, sidewalks and planting strips on both sides. 34th Avenue Northwest has a two-lane paved roadway with no curbs/gutters, planting strip and sidewalks. The north one-half of the site has an existing residential duplex and the south one-half of the site has been cleared of some vegetation and construction of a single family structure is in progress. Vehicle access with new driveways for both the existing duplex and the new single family structure are from 34th Avenue Northwest. Some existing trees are being saved and some are to be planted. Vegetation at the front and the sides of the existing duplex remains undisturbed except for some minor improvements to enhance the open spaces.

Development in the Vicinity

Zoning in the immediate vicinity to the site is Lowrise, Duplex , Triplex (LDT). To the north and northeast beyond NW Market Street and 34th Avenue NW the zone is Single Family (SF 5000) and to the south and southeast, the zone is Lowrise (L-3). To the southwest beyond NW 54th Street, the zone is Commercial (C1-30). Approximately three and-a-half lots west from the site, the Burlington Northern Railroad runs north-south across NW 54th Street and the west end of NW Market Street right-of-way.

The development of properties to the immediate north and northeast of the site is with few residential duplexes and mostly single family residences. To the east, the development is residential duplexes and to the south and southeast are residential apartments. To the farther south and southwest beyond NW 54th Street are commercial areas but mostly vacant lots.

Proposal Description

The applicant proposes to short subdivide one parcel of land into three unit lots. Proposed unit lot sizes are: Unit Lot A) 1,418.2 sq. ft., Unit Lot B) 1,819.7 sq. ft. and Unit Lot C) 3,011.5 sq. ft.

Public Comments

Notice was published on February 6, 2003 and the comment period ended on February 19, 2003.

One comment letter was received urging the applicant for this proposal to talk to the Sunset Hill Community Association in the area for more information and/or briefing about this Unit Lot Subdivision project. A telephone call was also received from the owner of the property adjacent to the west of the project site who asked about more information of the proposed Unit Lot Subdivision. Relevant information was provided by the DCLU Land Use Planner.

ANALYSIS

Pursuant to SMC 23.24.040, no short subdivision shall be approved unless all the following facts and conditions are found to exist. The findings which follow are based upon the information provided by the applicant; review of access, drainage and zoning within the Department of Design, Construction and Land Use (DCLU), review from the Seattle Public Utilities, Seattle Fire Department, the Seattle City Light, and the review by the Land Use Planner.

1. Conformance to the applicable provisions and requirements of the Land Use Code;

The existing parent lot subject to this subdivision conforms to all the development standards of the LDT zone. The parent lot existing configuration provides adequate buildable area to the required density, lot coverage requirements, setbacks, height and other land use code development standards. The unit lots proposed by this subdivision conform to the standards for unit lot subdivision per (SMC 23.24.045) and the provisions applicable to unit lot subdivisions. Any new development must conform to the land use provisions and code requirements at the time of the application.

2. Adequacy of access for vehicles, utilities and fire protection as provided in Section 23.53.005.

Unit Lot A has frontage on NW Market Street, Unit Lot B has frontage on NW Market Street and 34th Avenue NW. Unit Lot C has frontage on 34th Avenue NW. Unit Lot A will be provided with vehicle access off of 34th Avenue NW through a common ingress/egress easement with Unit Lot B. Adequate access for vehicles, utilities, and fire protection will be provided. Vehicle access for Unit Lots A and B will be off of 34th Avenue NW with a ten-foot (10') wide common driveway and with a common easement for required parking for both unit lot. Unit Lot C will have a separate vehicle access with a ten-foot (10') driveway off of 34th Avenue NW and an on-site driveway leading into a garage under the structure.

The Seattle Fire Department has reviewed and approved this proposal for adequacy of access for emergency vehicles.

The Seattle City Light has reviewed this short subdivision application and has indicated that an easement is required for electrical service to the proposed lots. The easement as described in the Seattle City Light memorandum dated February 11, 2003 and in "Exhibit A to City of Seattle Short Subdivision No. 2300222" will be included on the face of the plat.

3. Adequacy of drainage, water supply, and sanitary sewage disposal;

Storm water will be discharged into the combined sewer system in NW Market Street. Plan review requirements were made at the time of building permit application and construction of the single family structure under Permit #731335 which was issued on October 2, 2002. Storm

water for the existing duplex is already being discharged into the combined sewer system in NW Market Street.

Seattle Public Utilities reviewed the unit lot subdivision application and approved a Water Availability Certificate No. 2003-0117 on February 6, 2003. All conditions on the certificate must be met prior to receiving water service.

A combined sewer system is available in NW Market Street. Contact DCLU for a side sewer permit.

4. *Whether the public use and interests are served by permitting the proposal;*

The proposed unit lot subdivision is consistent with relevant LDT zone requirements and meets the minimum provisions of the Seattle Land Use Code. The proposal meets all applicable criteria for approval of a short plat as discussed in the analysis and decision. The public use and interests are served by permitting the proposed division of land.

5. *Conformance to the applicability provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical area;*

The site is not located in an environmentally critical area.

6. *Whether the proposal is designed to maximize the retention of existing trees;*

There are four existing trees on the site and all of them are less than six inches (6") in diameter. Two trees are two-inch (2") diameter, one three-inch (3") diameter, and one four-inch (4") diameter and these do not meet the size requirements to be regulated under this criterion. However, two of the existing trees located in front of the existing duplex are being saved. Two are being removed and/or relocated to accommodate the new access driveway and the new single family structure. Two new trees would be added to the south portion of the site. Any new development on the site is subject to the applicable provisions of SMC 23.45.015, Screening and Landscaping Requirements for Lowrise Zones.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single family housing.*

Section 23.24.045 of the Seattle Municipal Code provides that under certain circumstances some types of parcels may be created that do not individually meet the zoning requirements for lot size, setbacks, density and structure width and depth. These are called unit lot subdivisions and may be permitted as long as the development as a whole meet the development standards. However, as a result of this subdivision, development on the individual lots may be nonconforming. To assure that future owners have consecutive notice that the additional development may be limited due to non-conformities, the following statement shall be required to be included as a note on the final short subdivision: "The unit lots shown on this site are not

separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code.”

DECISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**

CONDITIONS

Prior to Recording

The owner(s) and responsible party(s) shall:

1. Provide final recording forms and fees. Have the final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcels or tract created by the short subdivision shall be surveyed in the field and all property corners set in conformance with appropriate state statute. The property corners set shall be identified on the plat and the encroachments such as side yard easements, fences or structures shall be shown, as well as all structures and distances from them to the proposed property lines. All existing structures, principal and accessory, shall be shown on the face of the plat and their distances to the proposed lines dimensioned. A licensed surveyor shall stamp the short plat drawings.
2. Insert the following on the face of the plat: “The unit lots shown on this site are not separate buildable lots. Additional development on any individual lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code.
3. Provide utilities easement for sewer line for the proposed for Unit Lot B where it crosses Unit Lot A and include the legal description of this easement with the legal description of the unit lots.
4. Provide easement as required by City Light for electrical service to the proposed lots per Seattle City Light memorandum P.M. #250310-4-016. Show this easement on the face of the plat.

Signature: (signature on file) Date: March 13, 2003
Edgardo R Manlangit, Land Use Planner
Department of Design, Construction and Land Use
Land Use Division